

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PAUL T. GUDANOWSKI, :
Plaintiff,

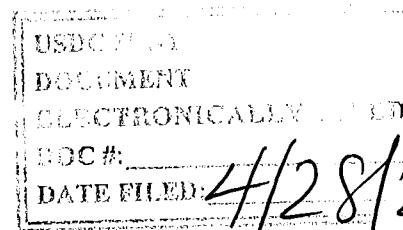
v.

TROOPER DARRYL M BURRELL :
IN HIS INDIVIDUAL CAPACITY, TROOPER :
GREGORY MAXWELL IN HIS INDIVIDUAL :
CAPACITY, TROOPER FRANCISCO E. :
MADERA IN HIS INDIVIDUAL CAPACITY, :
TROOPER ANDREW T. BUKOVINSKY IN :
HIS INDIVIDUAL CAPACITY, TROOPER :
WILLIAM R. PAYNE IN HIS INDIVIDUAL :
CAPACITY, OFFICER BRIAN C. :
MONTAGUE, AND OFFICER KEVIN J. :
FELTEN,

Defendants.

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ORDER TO COMPEL
COMPLIANCE WITH
SUBPOENA

20 CV 111 (VB)



For substantially the reasons set forth in plaintiff's letter motion, dated April 27, 2022, and submitted with the consent of all parties, plaintiff's application to compel non-party Good Samaritan Hospital to comply with the subpoena served upon it on March 16, 2022, is GRANTED. (Doc. #83).

Specifically, the Court is satisfied that plaintiff properly served the subpoena on Good Samaritan Hospital and that Good Samaritan Hospital has attempted to comply in part by producing the radiology results from the CT scans performed on plaintiff on January 2, 2017. However, for no apparent reason, Good Samaritan Hospital has failed to produce copies of the CT scans as required by the subpoena. Accordingly, Good Samaritan Hospital has failed to comply with the subpoena. Fed. R. Civ. P. 37(a).

Accordingly, it is HEREBY ORDERED that Good Samaritan Hospital is directed to
comply with the subpoena and produce the CT scans by no later than May 6, 2022.

Also in its April 27, 2022, motion, plaintiff requests the Court to extend certain expert disclosure deadlines. However, plaintiff's request fails to comply with Paragraph 1.G of Judge Briccetti's Individual Practices, which requires plaintiff to attach to his request a proposed Third Revised Civil Case Discovery Plan and Scheduling Order for the Court's consideration. Plaintiff has not done so. Accordingly, the instant request is DENIED WITHOUT PREJUDICE to refiling in accordance with the Court's individual practices.

By no later than April 29, 2022, plaintiff's counsel shall serve a copy of this Order on Good Samaritan Hospital, and file proof of service of same on the ECF docket.

Dated: April 28, 2022
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge